



INFORMATION REGARDING TRANSFERRING HVAL PERMITS FOR SOLAR ENERGY DEVELOPMENTS on HIGH-VALUE AGRICULTURAL LAND (HVAL)

Background	The Department of Agriculture, Conservation and Forestry (DACF) requires an HVAL permit and has permitting authority ¹ over any solar energy development that meets the following definition: A. Uses ground-mounted solar arrays and installations to convert solar energy to electrical energy; B. Occupies 5 acres or more; and C. Is wholly or partially located on high-value agricultural land (HVAL). DACF approval of a permit transfer is required whenever ownership of a permitted solar energy development changes. Pending DACF's decision on the transfer application, the transferee must abide by all of the terms and conditions of the permit and is jointly or severally liable with the original permittee for any violations. The terms and conditions of the existing permit remain in effect until the final DACF decision on the transfer application. In the transfer application, the transferee must demonstrate to DACF's satisfaction sufficient technical ability, sufficient financial capacity, and the intent and ability to comply with all terms and conditions of the applicable permits and satisfy all applicable statutory and regulatory criteria.	
Timeline	A transfer application must be submitted to DACF no later than thirty (30) calendar days prior to the transfer of ownership of a solar energy development with an HVAL permit. If the transfer application is not timely submitted at least thirty (30) calendar days prior to the transfer of ownership, the permit automatically lapses on the date ownership transfers.	
Submissions	Applicants shall email the application materials to AGEnergy@maine.gov. Word or PDF are the preferred file formats for sending the application electronically. Alternatively, applicants may mail ONE copy of the completed transfer form to the address on the right. Include all required attachments and the application fee.	Maine Department of Agriculture, Conservation & Forestry Attn: Agricultural Resource Development 90 Blossom Lane Augusta, ME 04333
Fees	The permit transfer fee is \$100, which is due at the time of form submission. Applicants may pay the fee online at https://gateway.maine.gov/ACF/PayMaineEntry. Alternatively, they may submit a check or money order made payable to "Treasurer, State of Maine" and mailed to the address listed above.	
Disclaimer	This document provides a summary of key elements found in Chapter 575 rules for informational purposes only. In the event of any discrepancies, Rule Chapter 575 shall govern. Please reach out to AGEnergy@maine.gov if you have any questions or concerns.	

¹ 38 M.R.S. §3202



Maine Department of Agriculture, Conservation & Forestry
Bureau of Agriculture, Food & Rural Resources

90 Blossom Lane
 Augusta, ME 04333
 Telephone: (207) 287-3491

TRANSFER APPLICATION FORM for SOLAR ENERGY DEVELOPMENTS on HVAL 38 MRSA c. 35

APPLICANT INFORMATION

New Applicant / Transferee ¹		Agent ² (if applicable)	
Name		Name	
Daytime Phone #		Daytime Phone #	
Mailing Address		Mailing Address	
Email Address		Email Address	
Preferred Contact Method	☐ Phone ☐ Email ☐ Mail	Preferred Contact Method	☐ Phone ☐ Email ☐ Mail
Current Permittee / Transferor ³		Agent (if applicable)	
Name		Name	
Daytime Phone #		Daytime Phone #	
Mailing Address		Mailing Address	
Email Address		Email Address	
Preferred Contact Method	☐ Phone ☐ Email ☐ Mail	Preferred Contact Method	☐ Phone ☐ Email ☐ Mail
Project Information			
Existing HVAL Permit #		Project Address	
Project Name (if any)			
Approximate Latitude / Longitude of Project		Estimated Date of Ownership Transfer	
FOR THE TRANSFER OF INDIVIDUAL PERMITS ONLY			
Does the original individual permit incorporate dual-use activities?	☐ Yes (if yes, proceed to question A.) ☐ No (if no, proceed to question B.)		
A. Will the transfer of the individual permit result in a change of dual-use activities?	☐ Yes, the project will cease dual-use activities. ☐ No, there will be no change to the dual-use activities already occurring as described in the dual-use management plan. ☐ Yes, the project will change which dual-use activities are implemented or will change the acreage of dual-use activities.		
B. Will the transferee begin dual-use activities?	☐ Yes, the project will begin dual-use activities. ☐ No, the project will not have dual-use activities.		
FOR OFFICE USE ONLY			
Date Applied		Application Fee	
Application #		App. Fee Paid Date	
Permit #		Approved By	
Notes			

¹ The person taking ownership of the solar energy development.

² 01-001 CMR Ch. 575 §9(3)(B)

³ The person transferring the ownership of the solar energy development.



NEW APPLICANT SIGNATORY REQUIREMENT

The new applicant (transferee) shall initial to the left of each statement and sign below.

I certify that: – I have personally examined the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete.	I authorize: – DACF to enter the property/properties that is/are the subject of this application at reasonable hours, including buildings and structures on the property/properties, to determine the accuracy of any information provided herein, in accordance with 01-001 CMR Ch. 575 §9(3)(F). If I withdraw¹ my application, this authorization is also subsequently withdrawn². – DACF to send me an electronically-signed decision on this application by emailing the decision to the email address submitted with this application.
I understand that: – I can withdraw my application at any time prior to a staff-issued decision (01-001 CMR Ch. 575 §9(3)(D)).	
I will: – Comply with all terms and conditions of the original permit and satisfy all applicable statutory and regulatory criteria. – Meet the BMPs described in the most recently updated version of the DACF guidance document titled “<i>Best Management Practices for Solar Energy Development on Farmland</i>” that apply to this solar energy development in accordance with 01-001 CMR Ch. 575 §5(2)(E). If applicable: I have provided an attachment to this application containing a list of any best management practices (BMPs) described in the aforementioned guidance document that do not apply to this solar energy development, along with a short explanation of why those BMPs are not applicable to this project.	(For the transfer of individual permits with a dual-use discount) I understand that: – The dual-use management plan must be updated and submitted to DACF annually on the anniversary of the date the solar energy development became operational (01-001 CMR Ch. 575 §6(2)(C)(1)). – A change in dual-use activities (e.g., the type of dual-use activities being conducted or the acreage of dual-use activities) should be described in the annual dual-use management plan update. – Ceasing or changing dual-use activities could result in compensation fees being owed (01-001 CMR Ch. 575 §6(2)(C)(4)), which the new permittee would be responsible for paying.

By signing below, the applicant (or authorized agent) certifies that they have read and understand the above information. **IMPORTANT:** If the signature below is not the applicant's signature, attach a letter of agent authorization signed by the applicant. ³

Date_____ New Applicant Signature_____

Title_____ New Applicant Printed Name_____

¹ 01-001 CMR Ch. 575 §9(3)(D)

² 01-001 CMR Ch. 575 §9(3)(F)(3)

³ 01-001 CMR Ch. 575 §9(3)(C)



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CURRENT PERMITTEE SIGNATORY REQUIREMENT

The current permittee (transferor) shall initial to the left of the statement and sign below.

— I acknowledge that ownership of this project is being transferred to the applicant identified in this application.

Date_____ Current Permittee Signature_____

Title_____ Current Permittee Printed Name_____

PAYMAINE INSTRUCTIONS

1. Navigate to <https://gateway.maine.gov/acf/PayMaineEntry>
2. For "Payment Type," choose "Direct Charge."
3. Choose "MDACF HVAL" from the "Program" drop-down menu. Do not type in the white box. The drop-down options will not appear until you have chosen a payment type.
4. Choose your Payment Method.
5. Click "Continue."
6. Choose "HVAL Permit Transfer Application" from the "Product" drop-down menu.
7. Enter the number of transfer applications you are paying for under "Quantity." Unless you are submitting multiple applications of the same type at once, enter a Quantity of "1." The Amount will auto-populate based on the application type and quantity.
8. Under "Reference Information," enter your project title or contact name. This will help us identify which application the payment is for.
9. Additional comments are optional.
10. If you are submitting more than one application, click the blue button labeled "Add New Item." This will bring up a new row of boxes. You can add as many rows as you need.
11. When you have completed the form, click the blue button at the bottom of the screen labeled "Enter Customer Information." It will take you to the screen where you enter all of your information.
12. After you enter all of your information, click the blue button at the bottom of the screen labeled "Continue to Payment."
13. **Paying by Credit Card:** On the payment screen to pay by credit card, enter your credit card information and click the "Submit Payment" button at the bottom of the screen.

Paying by ACH: On the payment screen, enter your account information and click the "Submit Payment" button at the bottom of the screen.

* Email AGEnergy@maine.gov if you have any questions. *